

In re) Fair Hearing No. 9591
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Appeal of)

The petitioner appeals the amount of her Food Stamp benefit. She did not attend her hearing and factual findings are based on the testimony of the department's witness, the petitioner's case worker, and the petitioner's written statements whose admission was agreed to by the department.

1. The petitioner is an elderly woman who receives Food Stamp assistance in the amount of \$10.00 per month.

2. The petitioner receives \$469.10 per month in the form of Social Security and SSI payments. She lives with her son but purchases and prepares her meals separately and is considered a Food Stamp family of one. She pays her son \$20.00 per week for her room in his house and for her washing.

ORDER

The department's decision is affirmed.

REASONS

In order to calculate her Food Stamp income, the department is required to use 100% of the petitioner's gross unearned income (Social Security and SSI) subject to allowable deductions. F.S.M. § 273.10. The standard deduction for medical care, dependent care and shelter of \$112.00 is used for all applicants. (See Procedures Manual § 2590A.1.) The only other deduction for which the petitioner has presented any evidence is the shelter deduction. However, shelter expenses for the elderly are only deducted to the extent that they exceed 50% of gross income, or in this case \$234.55. (Procedures Manual § 2590A.) The petitioner's reported shelter expense of \$86.00 falls far below this amount. Therefore, the petitioner's countable income is gross unearned income of \$469.10 minus the \$112.00 standard deduction, or \$357.10.

The Food Stamp allotment tables provide that a one person household with \$357.10 in countable income is entitled to \$10.00 in Food Stamps per month. (Procedures Manual § P-2510D). As that is the amount the petitioner is receiving, the department's decision is affirmed.

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